THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

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WRIT PETITION No.10776 OF 2006

DATE: 30-05-2006

Between:

M/s.Chandra Traders . . .Petitioner

and

The CTO, Kadapa and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION No.10776 OF 2006

O R D E R: (per LNR, J)

The petitioner preferred an appeal before the Sales Tax Appellate Tribunal aggrieved by an order, dated 24-01-2000. It has also filed an application for stay pending the appeal. The grievance of the petitioner is that even while the application for stay is pending, an order of reassessment is being enforced.

Heard the learned counsel for the petitioner and the learned special Government Pleader for Commercial Taxes.

The petitioner states that it has already deposited 50% of the disputed tax by the time the appeal was preferred. If that be so, we do not find any justification for the assessing authority in making efforts to enforce the order of reassessment.

Hence, the writ petition is disposed of directing that the order of reassessment passed by the second respondent shall remain stayed pending disposal of the appeal by the appellate authority. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

30th MAY, 2006.

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(D.APPA RAO, J)

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